



Atty. Dkt. No. 067286-0278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James C. KENNEDY et al.

Title: PHOTOCHEMOTHERAPEUTIC METHOD
USING 5-AMINO LEVULINIC ACID AND
OTHER PRECURSORS OF ENDOGENOUS
PORPHYRINS

Appl. No.: 10/605,826

Filing Date: 10/29/2003

Examiner: Unassigned

Art Unit: 1617

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/816,329, filed 03/26/2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

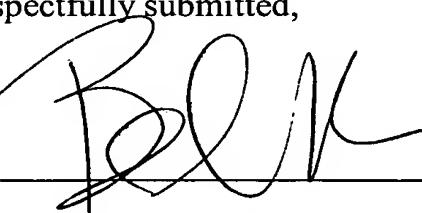
RELEVANCE OF EACH DOCUMENT

The relevance of the listed documents is explained in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By 

Beth A. Burrous
Attorney for Applicants
Registration No. 35,087

Date 26 March 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT					
(use as many sheets as necessary)					
Sheet	1	of	6	Application Number	10/605,826
				Filing Date	10/29/2003
				First Named Inventor	James C. Kennedy
				Group Art Unit	1617
				Examiner Name	Unassigned
				Attorney Docket Number	067286-0278

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A19	EP	0 233 701			08/87		
	A20	WO	95/07077	-		03/95	-	

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A21	WO	93/08715				05/93		
A22	WO	91/01727				02/91		
A23	WO	95/31189				11/23/95		
A24	WO	94/06424				3/31/94		
A25	WO	95/05813				3/2/95		
A26	WO	93/20810				10/28/93		
A27	WO	94/12239				6/9/94		

NON PATENT LITERATURE DOCUMENTS

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A28		BOEHNCKE, et al., Treatment of Psoriasis by Topical Photodynamic Therapy with Polychromatic Light, <i>The Lancet</i> , 343:801, March 1994	
A29		FUKUDA et al., Photodynamic Action of Endogenously synthesized Porphyrins from Aminolevulinic, <i>Int. J. Biochem.</i> , 25:10; 1395-98, 1993	
A30		LOH et al., Endogenous Porphyrin Distribution-Induced by 5-Aminolevulinic Acid. . . , <i>J. Photochem. Photobiol.</i> , 20:47-54, 1993	
A31		VAN DER VEEN et al., In Vivo Fluorescence Kinetics and Photodynamic Therapy Using 5-Aminolevulinic, <i>Br. J. Cancer</i> , 70:867-72, 1994	
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	A36	KENNEDY et al., "Topical Photodynamic Therapy For Cancers Of The Skin", <i>Canadian Dermatology Association Journal</i> , Vol. 5, No. 3, pp. 45-47, (1991)	
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Sheet	4	of	6		

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	A50	KOENIG et al., "In Vivo Photoproduct Formation During PDT With ALA-Induced Endogenous Porphyrins", <i>J. Photochem. Photobiol. B: Biol.</i> , Vol. 18:287-290, (1993)	
	A51	VAN HILLEGERSBERG et al., "Current Status of Photodynamic Therapy In Oncology", <i>Drugs</i> , Vol. 48(4):510-527, (1994)	
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	A59	KENNEDY, "Photochemotherapy - Clinical Aspects", Department of Oncology and Pathology, Photosensitisation. Edited by G. Moreno et al., pp. 453-463, (1988)	
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	A61	DENNIS et al., "Protection of NIH 3T3 Cells From Infection By Trypomastigotes And Sphaeromastigotes Of <i>J. Trypanosoma Cruzi</i> , Telahuen Strain, By Porphyrins In The Presence And Absence of Light (630 and 690 NM)", <i>Parasitol.</i> , Vol. 75(6):970-976, (1989)	

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	A82	SAMSOEN M., Arsenal Medicamenteux Dermatologique, Pg. 603-606, ISSN. 0752-5370 (1995) (Abstract)	
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	A84	N. NAVONE et al., porphyrin biosynthesis in human breast cancer. Preliminary mimetic in vitro studies, <i>Med. Sci. Res.</i> , 1998; 16, 61-62, Buenos Aires, Argentina.	

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